

ADMINISTRATIVE ORDER

IN RE:

)

)

) Order No. C-09-099-036-ARSEN

United Water System, Inc. a/k/a)

United Water System)

St. Martin Parish)

PWS ID # 1099009)

Respondents

TO:

United Water System, Inc.
Through its Agent for Service of Process
Thomas D. Brumbaugh
1017 Lafayette St.
Lafayette, Louisiana 70501

and/or

United Water System, Inc.
Through its Agent for Service of Process
Lorna S. Mills
1277 Main Hwy.
Arnaudville, Louisiana 70512

and/or

Floyd Knott, as President
United Water System, Inc.
1094 Bushville Hwy.
Arnaudville, Louisiana 70512

and/or

FINDINGS

1. The aforementioned Respondents are responsible parties for the United Water System which is a 'public water system' as defined in LSA-R.S. 40:5.8 (6) and La. San. Code [LAC 51:XII.101.A].
2. The Respondents have certain responsibilities as defined in La. San. Code [LAC 51:XII.307.A], and the operation of such public water system is governed by LSA-R.S. 40:4(A), 5, and 1141-1151, LAC 48:V.7701, LAC 48:V.Chapter 73, La. San. Code Part XII [LAC 51.XII], Recommended Standards for Water Works (2003 Edition), and any other applicable rules, regulations, and standards.

VIOLATIONS

1. LSA-R.S. 40:4(A), LAC 48:V.7701, and LAC 51.XII.301.-- the running annual average of arsenic compliance samples collected within this public water system exceeded the Maximum Contaminant Level (MCL) during the October 1, 2008 through December 31, 2008, the January 1, 2009 through March 31, 2009, the April 1, 2009 through June 30, 2009, and the July 1, 2009 through September 30, 2009 compliance monitoring periods.

ORDER

- 1.) a.) Within 30 days upon receipt of this administrative order, submit plans and specifications for the control of state or federally regulated arsenic levels in drinking water. Such plans and specifications are to be submitted to the Office of Public Health's (OPH) Region IV Office at: OPH, Acadian Region IV, Engineering Section, 825 Kaliste Saloom, Brandywine 3 - Suite 100, Lafayette, Louisiana 70508.

Administrative Order No. C-09-099-036-ARSEN
United Water System, Inc. a/k/a
United Water System
St. Martin Parish
PWS ID # 1099009

b.) Once written approval of plans and specifications has been obtained from the OPH, implement such plans in conjunction with the approval at the United Water System such that all state and federally regulated arsenic levels do not exceed state and federal maximum contaminant levels beginning in the 3rd calendar quarter (July) of 2011.

c.) Within 30 days, notify all customers on the system (including "new tie-ins") of the arsenic non-compliance by following the directions in the attached letter and within the time frames stated within this letter. Specifically, have the notice published in a daily or weekly newspaper in the Arnaudville area in addition to mailing it to your customers and ensure that the notice which is published and mailed contains all of the required mandatory health effects language within it.

d.) Within ten (10) days of the completion of each public notification which may be required pursuant to ordered remedial action item 1.c.) above, a representative copy of each type of notice distributed, published, posted, and/or made available to the persons served by United Water System and/or to the news media shall be submitted, along with the certification form, to the OPH's Central Office at the following address: DHH/OPH, Engineering Services Section, Brandon Taylor - Compliance Manager, P.O. Box 4489, Baton Rouge, Louisiana 70821-4489.

GENERAL PROVISIONS

1. This Administrative Order shall become final and not subject to further review twenty (20) days after receipt by the public water system, unless the Respondents file a written request for a hearing with the State Health Officer within that twenty-day period.

2. An extension of the compliance deadline may be granted if the Respondents show a justifiable reason for not meeting the deadline. Such request must be made in writing by one of the Respondents, and must be received at least five (5) days prior to the compliance deadline date noted herein for the ordered remedial action item(s) to which such request applies.

3. All documents and requests relative to this order shall be submitted by some form of mailing that will provide the Respondents with a return receipt. Transmission by facsimile is acceptable, however, the document is not deemed to have been officially received until such time as the Respondents have received a written acknowledgment from the OPH. The address/facsimile number to submit requests relative to this order is:

DHH - OPH
Center for Environmental Health Services
Engineering Services Section
Safe Drinking Water Program
Enforcement Unit
P O Box 4489
Baton Rouge, Louisiana 70821-4489
FAX (225) 342-7303

4. Failure to comply with any provision of this order may result in the issuance of an administrative penalty up to a maximum of one thousand two hundred forty-three (\$1243.00) dollars per day under the authority of LSA-R.S. 40:5.9(A) and LAC 51:XII.Chapter 5 and LAC 51:XII.Chapter 7, or a civil penalty not to exceed three thousand (\$3000) dollars per day for each act of violation, under the authority of LSA-R.S. 40:5.9(B).
5. This order will remain in effect until a notice of termination is given by the state health officer or his duly authorized technical representative. Such notice will be given after the public water system has remained in compliance with all provisions of this order for a minimum of twelve consecutive months.
6. This order does not constitute a waiver, suspension, or modification of the requirements of Part XII, La. San. Code (LAC 51:XII), or LSA-R.S. 40:4, 5, and 1141-1151 which remain in full force and effect. Issuance of this order is not an election by the Department of Health and Hospitals to forego any civil or any criminal action otherwise authorized under a state law.

Page 6

Administrative Order No. C-09-099-036-ARSEN

United Water System, Inc. a/k/a

United Water System

St. Martin Parish

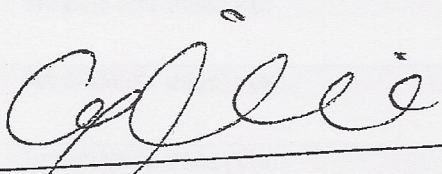
PWS ID # 1099009

7. This order shall be binding on the public water system cited herein and all its heirs, successors, and assigns. No change in ownership of the public water system shall alter the responsibility of the public water system under this order.

SO ORDERED at Baton Rouge, Louisiana:

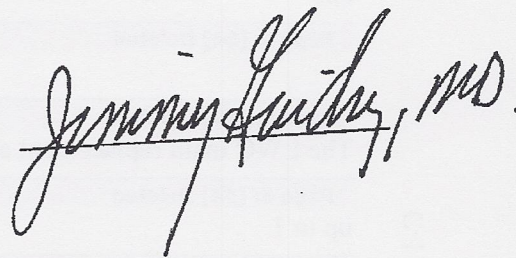
Alan Levine
Secretary of DHH
State of Louisiana

By:



Clayton Williams
Assistant Secretary
OPH/DHH
State of Louisiana

Jimmy Guidry, M.D.
State Health Officer
State of Louisiana



Date 5/7/10

Date _____

Attachments